

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

REGINALD MCNEARY,

Plaintiff,

v.

ST. LOUIS COUNTY JUSTICE

CENTER, et al.,

Defendants.

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No. 4:14-CV-950 CAS

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. On December 10, 2014, the Court reviewed plaintiff's complaint and found that it failed to state a claim upon which relief could be granted. The Court instructed plaintiff to file an amended complaint no later than January 9, 2015. In the Court's Order, the Court instructed plaintiff exactly how to name the defendants in their individual capacities. Also, the Court stated it would dismiss the case if plaintiff failed to file a timely amended complaint. The Court mailed plaintiff a copy of the Order and a prisoner civil rights complaint form.

On December 16, 2014, following receipt of correspondence from plaintiff, the Court mailed to plaintiff another copy of the December 10, 2014 Order, another prisoner civil rights complaint form, and a copy of the docket sheet.

Plaintiff has not filed an amended complaint. Under Rule 41(b) of the Federal Rules of Civil Procedure, the Court may dismiss an action for failure to prosecute.

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED without prejudice** for failure to prosecute.

An Order of Dismissal accompany this Memorandum and Order.

A handwritten signature in black ink, reading "Charles A. Shaw". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 19th day of February, 2015.